

## **REMARKS**

Applicants respectfully acknowledge that the finality of the previous office action has been withdrawn. Claims 1-20 are pending in the present application. Claims 1-13 and 15-20 are rejected.

Claims 1 and 8 are objected to due to informalities. Claims 1 and 8 have been amended to correct these informalities.

In the present Office Action, claims 1-7 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,326,926 (Shoobridge) in view of U.S. Patent No. 6,452,910 (Vij). Claims 8-13, 15-17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vij, in view of U.S. Patent No. 6,452,910 (Young). Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Independent claims 1, 8, and 12 include the general feature of conducting communication with mobile units using a first wireless protocol and receiving management communications using a second, different wireless protocol. This feature allows remote management of the access point or other device in the event the connection via the first protocol is unavailable. For instance, if the wireless LAN implementing an 802.11 protocol is unavailable, the access point may be managed by sending management communications over a different protocol connection, such as Bluetooth.

The Office Action asserts that the combination of Shoobridge and Vij teaches these features. Applicants respectfully disagree. The Office Action admits that Shoobridge fails to teach out of band management communications with the access point, and relies on Vij for this

teaching. To the contrary, Vij merely teaches an access point operable to allow mobile devices to conduct data communications with an associated network via a wireless LAN protocol or a Bluetooth protocol. Vij fails to teach or suggest that the access point receives management communications over a connection using the second protocol. The passage cited by the Office Action at col. 7, lines 14-17 only mentions regular data communication traffic, not management communications. The passage cited at col. 8, lines 48-50 describes a situation where the internet connected server instructs an idle mobile device to close its connection to free up resources for other devices. When the mobile device disconnects from the access point, the access point updates its port table.

This scenario fails to suggest receiving management communications using a second, different wireless protocol. The sending of the disconnect request from the server to the mobile device does not constitute receiving management communication via the second protocol at the access point. First, the disconnect request does not constitute management communication with the access point, as it is directed to the mobile device and does not result in management of the access point. Second, even if assuming *arguendo* that the disconnect request is management communication, the disconnect request command is sent via the server using the first protocol to the access point for relaying to the mobile device via the second protocol. The disconnect request is not management communication received at the access point using the second protocol. If the first protocol connection was not available, the disconnect request could not be sent by the server at all. The access point reconfigures its port map after the mobile device disconnects, however, the mobile device sends no message to the access point to initiate this change to the port map, it simply disconnects. The reconfiguration of the port map is simply a

connection maintenance task related to supporting the data communication function of the access point, not management of the access point.

For at least these reasons, claims 1, 8, 12, and all claims depending therefrom are allowable over the combination of Shoobridge and Vij. The other cited art fails to correct the defects delineated above. Accordingly, Applicants respectfully request the rejection of these claims be withdrawn.

In view of the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4070 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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